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## **Observation of the parliamentary elections in Albania (23 June 2013)**

### **Election observation report**

Ad hoc Committee of the Bureau

Rapporteur: Mr Petros TATSOPOULOS, Greece, Group of the Unified European Left

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### **1. Introduction**

1. Further to an invitation from the Speaker of the Parliament of Albania, the Bureau of the Parliamentary Assembly, at its meeting on 22 April 2013, decided to observe the parliamentary elections in Albania on 23 June 2013, to constitute an ad hoc Committee for this purpose, composed of 30 members and the two co-rapporteurs of the Monitoring Committee, ex officio, and to authorise a pre-electoral mission composed of seven members: one from each political group and the two co-rapporteurs of the Monitoring Committee.

2. On 26 April 2013, the Bureau of the Assembly approved the composition of the ad hoc committee and appointed Mr Luca Volontè as Chairperson.

3. On 4 October 2004, a co-operation agreement was signed between the Parliamentary Assembly and the European Commission for Democracy through Law (the Venice Commission). In pursuance of Article 15 of this Agreement, “when the Bureau of the Assembly decides to observe an election in a country in which electoral legislation was previously examined by the Venice Commission, one of the rapporteurs of the Venice Commission on this issue may be invited to join the Assembly’s election observation mission as legal adviser”, the Bureau of the Assembly invited an expert from the Venice Commission to join the ad hoc committee as an adviser.



4. The pre-electoral delegation, composed of Mr Luca Volontè (Italy, EPP/CD), Ms Alina Stefania Gorghiu (Romania, ALDE), Mr Petros Tatsopoulos (Greece, UEL) and the two co-rapporteurs of the Monitoring Committee, Mr Jonathan Evans (United Kingdom, EDG) and Mr Grigore Petrenco (Republic of Moldova, UEL), was present in Tirana on 11 and 12 June 2013 and met with the Prime Minister, the Speaker of the Parliament, the Chairperson and members of the Central Electoral Committee (CEC), the Minister of the Interior, representatives of parties running in the elections, representatives of civil society and the media, the observation mission of the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR) and members of the diplomatic corps in Tirana. The programme of the pre-electoral delegation appears in Appendix 2.

5. In a statement issued at the end of its mission, the pre-electoral delegation concluded that “Albania needs the elections on the 23rd of June to meet Council of Europe standards, in order to confirm its genuine commitment to democracy, respect for the rule of law and protection of human rights. All Albanian political parties must show the will to restore people’s trust and confidence in the electoral process, by ensuring that the conduct of the campaign and of the voting itself is able to pave the way towards the acceptance of the elections results by all stakeholders”. The statement appears in Appendix 3.

6. The ad hoc committee observed the elections as part of the International Election Observation Mission (IEOM), which also comprised delegations from the Parliamentary Assembly of the OSCE (OSCE-PA) and the Election Observation Mission conducted by the OSCE/ODIHR.

7. The ad hoc Committee met in Tirana from 21 to 24 June 2013 and met, among others, leaders and representatives of political parties running in the elections, the Chairperson of the CEC, representatives of civil society and the media, and members of the diplomatic corps in Tirana. The programme of the delegation appears in Appendix 4 and the statement issued by the IEOM in Appendix 5.

8. A delegation of the European Parliament was present in Tirana to assess the political situation on the occasion of the parliamentary elections. On the initiative of the European Parliament delegation, the Head of the Parliamentary Assembly’s ad hoc committee met the European Parliament delegation and had an exchange of views on the electoral process.

9. On election day, the delegation split into 11 teams which observed the opening, voting and closing as well as the handing-over of the ballot boxes in the Ballots Counting Centres (BCCs) in and around Tirana, Kruje, Durres, Kavaja, Elbasan, Fier, Patos, Shkodra, Lezhe and Kukës.

10. The IEOM concluded that the parliamentary elections were competitive, with active citizen participation throughout the campaign and genuine respect for fundamental freedoms. It noted, however, that the atmosphere of mistrust between the two main political forces tainted the electoral environment and challenged the administration of the entire electoral process.

## 2. Political context

11. The elections were characterised by a tense political environment, resulting from long-standing conflicts between the two parties which dominate the political arena: the Democratic Party (DP) and the Socialist Party (SP). The previous parliamentary elections were held in Albania in 2009. They resulted in near equal representation of the governing coalition (led by the DP) and the opposition (led by the SP), with 70 and 66 seats respectively. The four remaining seats were won by the Socialist Movement for Integration (SMI), which subsequently joined the DP-led coalition.

12. In March 2013, the SMI left the governing coalition. The parliament then dismissed the SMI-proposed member of the Central Electoral Commission and his place was taken by a representative of the Republican Party (RP) from the governing coalition. This change in the composition of the CEC was followed by the resignation of the three members of the CEC that had been proposed by the SP-led coalition. The parliament did not approve these three resignations, but the CEC was forced to work *de facto* with a composition of four instead of seven members.

13. The elections of 23 June 2013 were widely viewed as a crucial test for Albania’s aspirations to European Union membership. The challenge of organising elections in line with Council of Europe standards was a particularly difficult one, given the long-standing polarisation between the two main political forces, the DP (led by Prime Minister Sali Berisha) and the SP (led by Edi Rama), and the mistrust of other parties towards them.

14. Out of the 66 contending parties, 25 joined the DP-led Alliance for Employment, Prosperity and Integration and 37 parties joined the SP-led Alliance for European Albania. Four parties ran separately and there were also two independent candidates.

### 3. Legal framework

15. The 140-member Parliament of Albania is elected for a four-year term under a proportional system with 12 multi-member electoral districts that correspond to the country's administrative regions. Political parties, coalitions and independent candidates can contest the elections, with closed candidate lists submitted by parties for each district. Parties that receive at least 3% and coalitions that receive at least 5% of the valid votes in a district qualify for seat allocation.

16. The main piece of legislation governing the elections is the Electoral Code. Other pieces of relevant legislation include the Constitution and the instructions and decisions of the CEC.

17. The current Electoral Code, adopted in December 2008, was drafted by a bi-partisan committee and introduced provisions giving the two largest political parties (currently the DP and the SP) significant responsibilities at every stage of the electoral process, including in administering the elections. As stated in the 2011 Joint Opinion of the Venice Commission and OSCE/ODIHR on the electoral legislation, this led to an overly detailed code, "which could result in challenges and even possible obstruction to the electoral process by representatives of these two large parties".

18. The parliamentary elections of 23 June 2013 were the second parliamentary elections since the Electoral Code was adopted. The code has been changed several times, the last time on 19 July 2012, and important amendments have been introduced.

19. The July 2012 changes addressed several Venice Commission and OSCE/ODIHR recommendations included in the 2011 joint opinion, *inter alia* the amendment of the selection process for the election administration, including the CEC chairperson, a revised process to compile voter lists, simplified provisions for candidate registration and increased sanctions for election-related violations. However, it should be stressed that meaningful improvements in the conduct of democratic elections in Albania cannot be made only through legislation, but require a change in attitudes and practices of the main political groups and their leaders.

20. The Criminal Code of Albania was amended in March 2012, establishing new electoral offences and strengthening penalties for the already existing ones.

21. However, some revisions of the Electoral Code weakened the legal framework, including less strict enforcement mechanisms for non-compliance with gender quotas for candidate lists and a more lenient provision on the use of public servants for campaign purposes. Many recommendations on crucial aspects remained unaddressed, including measures to enhance the impartiality of election commissions, independent candidate rights, campaign finance transparency, and effective electoral dispute resolution.

22. Legislation did not adequately regulate or penalise the misuse of administrative resources. The enforcement of provisions against campaign misconduct, including vote buying, was weak. There was a lack of regulation on the complaint resolution mechanism at the level of Zone Election Commissions (CEAZ) and Vote Centre Commissions (VCC), as the law was silent on this very important issue, stating only that the complaints are "registered" by the secretaries of these commissions.

23. Electoral stakeholders were not adequately provided with effective legal remedies and due process to resolve election-related grievances. In some cases, adjudicative bodies refused consideration of complaints or exceeded their jurisdiction. Electoral subjects rarely used available electoral dispute resolution mechanisms, including for a reported lack of confidence in the election administration, courts and law enforcement bodies.

### 4. Administration of the elections

24. The parliamentary elections were administered by a three-tiered system comprising the CEC, 89 commissions of electoral administration zones (CEAZs) and 5 508 voting centre commissions (VCCs). The counting took place in 89 ballot counting centres (BCCs), one for each EAZ. Among these entities, only the CEC is a permanent body.

25. Election commissions at all levels had seven members and were composed of nominations from political parties based on their representation in the parliament. The requirement to include at least 30% of each gender in the overall CEAZ membership was fulfilled. There was no gender requirement for VCCs and BCC teams.

26. As already mentioned, after the SMI joined the opposition and left the ruling coalition in April 2013, the parliament recalled one CEC member nominated by the SMI and replaced him with a representative of the Republican Party, from the ruling coalition. This was done in breach of Article 18 of the Electoral Code. In protest, three members from the opposition (from the SP and from the Human Rights Union Party (HRUP)) left the CEC, which was left to work with only four members instead of seven. This situation was not resolved by the political parties before election day, despite the fact that there were some normative acts which required a qualified five-member majority, including decisions concerning the approval of election results in each constituency and the allocation of seats. In fact, the CEC was prevented from regulating aspects of the electoral process in a proper legal manner.

27. One example of a controversial decision of the CEC in terms both of procedure and substance was the adoption of rules for the drawing of lots for assigning the order of contestants on the ballot paper. The decision required a qualified majority, but was decided with only four votes. Furthermore, these rules were amended several days later, allowing the CEC to change the order of parties on the ballot paper after the drawing of lots, which represented a substantive contravention of the Electoral Code.

28. In general, the technical preparations for the elections were adequate, despite some shortcomings, such as not meeting a number of legal deadlines. This happened even when the CEC still operated with all its seven members. For example, the CEC failed to adopt regulations necessary to supplement the Electoral Code, including the requested approval of its internal rules of procedure 60 days prior to election day. Regulations adopted for the last elections were not amended to comply with the 2012 amendments to the Electoral Code. The calling of sessions often came late (without respecting the 24-hour notice period) and the publication of decisions was incomplete on the CEC's website. However, the sessions were public and streamed online and parties and media were present at the sessions, ensuring transparency.

29. The CEC provided training for election officials, but the effectiveness of the training was limited due to late changes in the lower-level commissions. The CEC also aired voter information spots ahead of election day.

30. The CEAZs generally enjoyed the confidence of electoral stakeholders, but a large number of them were split along political lines in their decision making. The politicisation of the CEAZs was obvious: the CEC replaced all members nominated by the HRUP in all CEAZs with nominees of the RP and justified this decision by "the new circumstances created in the composition of the groups of parliamentary majority and opposition". The Electoral Code provides an exhaustive list of possible reasons for the early termination of the mandate of a CEAZ member, but the list does not include the recomposition of the parliament. However, political parties replaced a large number of CEAZ members at will, and this until just several days prior to election day, thus reducing the effectiveness of the training provided by the CEC.

31. A number of voting centres (VCs) were situated in private buildings, which remains a contested issue. The CEC relocated some 90 VCs on questionable legal grounds. Political parties submitted nominations for the VCCs and BCC teams after legal deadlines and requested changes of their nominees up until election day, which was against the law in the case of the VCCs.

32. The CEC was tasked with conducting pilot tests of two new election technologies: an electronic counting system in the Fier District and an electronic voter verification system in the Tirana district. Preparation for both pilots extended past legal deadlines, making successful implementation impossible.

33. According to the CEC, 3 271 885 voters were included on the voter lists, which had been extracted from the National Civil Status Register maintained by the Ministry of the Interior. Mayors were responsible for certifying the accuracy of the voter lists and they were required to inform the CEC of the number of voters and the location of the VCs. 139 local mayors were fined for failing to do this. Some 20 VCs were established in prisons and detention centres.

34. There was overall confidence in the accuracy and quality of voter lists. They were generally posted for public display and, in addition, voters could check their details online.

35. The registration of the contestants was inclusive and offered voters a genuine choice, as 66 political parties (out of which, as mentioned, 62 were part of two coalitions led by the DP and the SP respectively) and two independent candidates were registered. The CEC initially registered 64 political parties and two

independent candidates and denied registration to six parties and five independent candidates. All six parties appealed and two of them had their appeals satisfied. The CEC approved all candidate lists with a total of 7 149 candidates, including 2 753 women.

36. According to the Electoral Code, candidates had to resign from high-level public posts prior to registration. The Head of the General Directorate for Prisons, who was a candidate on the DP list in Tirana, resigned only on 19 June.

37. Each candidate list had to include at least one male and one female in the top three positions and had to consist of at least 30% of each gender. Many parties included the requested quota of women on their lists but at the bottom of the lists. The CEC issued fines to the three largest parliamentary parties (DP, SP and SMI) for failing to meet the quota in four, six and four districts respectively, but the parties refused to modify their lists which, in the end, were registered by the CEC as they stood.

## **5. The election campaign and the media environment**

38. The campaign was vibrant and overall peaceful. The political parties developed programmatic platforms and engaged in a substantive political debate. However, mutual accusations between the DP and the SP often shifted attention away from the substance of the campaign.

39. Contestants were able to campaign freely, accordingly to their respective financial possibilities. The parliamentary parties, as well as the New Democratic Spirit (NDS, the party led by former President Bamir Topi), organised rallies and concerts and used banners extensively. Smaller parties organised smaller-scale meetings and distributed leaflets in targeted areas. All parties used social media extensively.

40. Unfortunately, incidents of serious violence, possibly related to the elections, were also reported: the attempted shooting of a local DP chairperson in the region of Kukes, the detonation of an explosive device outside the residence of a DP candidate in Vlore, the beating of an NDS candidate in Fier and the beating of a VCC member nominated by the SP in the region of Berat.

41. In contradiction with the Venice Commission's Code of Good Practice in Electoral Matters, during the campaign, there was a continuous blurring between state institutions and party interests. Although this was prohibited by law, the DP and the SP used public vehicles and official buildings for campaign purposes. A number of official government events were accompanied by DP campaign advertising and speeches. The Prime Minister's official site included campaign coverage.

42. There were widespread allegations that public sector workers were required by their superiors to attend rallies for the governing party. Schools were sometimes closed during daytime rallies with the teachers and students being present at the rallies. A strong presence of schoolchildren was noted at many campaign events. The SP claimed that their activists and supporters, including VCC members from past elections or their family members, were dismissed from public sector jobs on political grounds.

43. International observers were made aware of allegations of vote buying, focussing in particular on the Roma and on poor communities living in rural areas.

44. The Albanian legal framework did not provide for sufficient transparency in campaign finance reporting as there were no disclosure requirements before election day. This led to concerns that political parties were spending over the legal limits.

45. The media environment was pluralistic and offered a diversity of content, which allowed voters to make an informed choice. However, editorial independence was hampered by political influence. The Media Monitoring Board, charged with monitoring the media and proposing administrative sanctions during the campaign, was established a month after the legal deadline and failed to provide the CEC with daily reports as legally required.

46. Women candidates received marginal news coverage.

47. On 3 June, the CEC adopted a controversial decision requiring broadcasters to air pre-recorded material prepared by electoral subjects in their newscasts, as such, without any editorial intervention. This decision is inconsistent with Council of Europe standards and Albania's OSCE commitments, as it limits editorial freedom and viewers' access to independent reporting. The People's Advocate (Ombudsperson) recommended that the CEC repeal its decision.

## 6. Polling day and results

48. The start of the election day was tarnished by isolated instances of violence, one of which ended tragically with the death from gunshot wounds of one party supporter and severe injuries to two others, including one candidate, outside a VC in Lac (Lezhe District). With these extremely regrettable exceptions, the election day generally took place in an orderly manner.

49. Due to the changes in the composition of the VCCs right up until election day, those members of the VCCs who were nominated late had not been trained, which induced confusion and often tensions on election day, as the procedures were understood differently.

50. According to the statistics of the OSCE/ODIHR, based on the observation of the more than 380 observers deployed, the opening was assessed positively in 84% of the VCs observed and negatively in 16%, which is significant. VCs were supposed to open at 7 a.m. but there were delays in opening in 72% of the VCs observed, due to lack of organisation, arguments over procedures, late arrival of VCC members or missing material such as ink or ballots.

51. Voting was assessed as good or very good in 94% of the observed VCs and bad in 6%. Only seven VCs out of 1 363 observed were assessed as very bad. Indications of possible ballot-stuffing was observed in three VCs. Proxy voting was observed in 5% of VCs. In 3% of VCs the same persons were observed assisting different voters. Also in 3% of VCs attempts to influence voters' choice were observed. Ink verification was not done consistently in 28% of VCs and multiple voting was observed in 12 VCs. Family voting was observed in 14% of VCs, and more frequently in rural areas. The large size of the ballot papers, combined with the small size of the voting booths, often compromised the secrecy of the voting, in particular in smaller VCs. The overall assessment of voting was more negative in rural areas (10%) than in urban areas (3%).

52. Observers of contestants were present in 89% of VCs and citizen observers in 22% of VCs. Interference in the voting process by observers of contestants (both from DP-led and SP-led coalitions) was observed in 8% of the VCs.

53. The closing of the VC and the transfer of the materials to the BCCs were observed in 93 cases and assessed as good or very good in 79 cases and bad in 6 cases. There were issues due to uncertainty over the procedures to follow. The process of reception of the materials by the BCCs was transparent but sometimes affected by overcrowding. In certain BCCs, counting teams were not yet established or were still receiving training during the intake of the ballot boxes which caused delays. Subsequent delays were noted in BCCs where counting teams took extensive breaks. In some instances, observers were not allowed to get close enough to the counting tables, which affected transparency.

54. In statistical terms, the elections were assessed as being "above average".

55. The members of the Assembly's ad hoc committee reported that, in the areas in which they were deployed, voting took place in an orderly manner. However, they observed a number of irregularities and minor technical problems in the VCs they visited:

- failure to comply with the opening hours;
- difficulties in finding the voting centres;
- cases of family voting, which put into question the principle of the secrecy of voting;
- the large size of the ballot papers, combined with the small size of the voting booths, often compromised the secrecy of voting, in particular in smaller voting centres;
- one attempt to take photos of a ballot paper during the voting procedure (the ballot was invalidated);
- poor knowledge of the voting procedures (members of the VCCs could be changed up until election day leaving no time to train the newly nominated members), leading to unintentional failure to comply with procedures, including during the count, and especially in rural areas;
- limited cases of interference of political party observers in the running of the VCs, including during the counting;
- the issue of double subordination of members of VCCs to their respective parties and to the higher election administration, which created confusion in the reporting after the closing procedure;
- a general lack of authority of the CEC over the VCCs; in one VC, the chairperson acted as if he were answerable to the observers from political parties rather than the CEC;
- generally speaking, the polling stations did not provide easy access for the disabled;

- observers of the contestants were given access to detailed information on who had been voting and therefore they were able to check who had voted and urge those who had not yet voted to do so.

56. On 6 August, the CEC approved the final results of the 23 June parliamentary elections with four votes in favour. Thus, the SP-led Alliance for European Albania gained the vote of 993 934 citizens, collecting 57.63% of the popular vote and gaining 83 seats in the new Assembly (SP: 65, SMI: 16, HRUP: 1, Christian Democratic Party: 1), whereas the DP-led Alliance for Employment, Prosperity and Integration gained the vote of 680 677 citizens, collecting 39.46% of the popular vote and gaining 57 mandates (DP: 50, PJI: 4, RP: 3) in the new Assembly.

## 7. Conclusions and recommendations

57. The Parliamentary Assembly ad hoc committee concluded that the parliamentary elections of 23 June 2013 were competitive, with active citizen participation throughout the campaign and genuine respect for fundamental freedoms. It noted, however, that the atmosphere of distrust between the two main political forces tainted the electoral environment and challenged the administration of the entire electoral process.

58. The legal framework provided a sound basis for the conduct of democratic elections, but its implementation and enforcement fell short in a number of respects, which affected public confidence in the electoral process. In the future, the electoral legislation must be implemented fully and in good faith.

59. The electoral campaign saw parties engaging in a substantive political debate, but mutual accusations still represented too great a part of the message given to voters. The continued blurring between state institutions and party interests, combined with credible allegations of vote buying and pressure on public sector employees, negatively impacted on the pre-electoral environment and should be avoided in the future.

60. Events such as the killing of a party supporter, which tarnished the start of the election day, as well as the other instances of violence noted during the electoral campaign period, are not compatible with genuine democracy. Therefore, in the future, contestants in elections must refrain from verbal violence, which, in the context of a strong political polarisation, induces a climate of hate and leads to tragedies.

61. On election day, voting proceeded relatively smoothly. However, there were a series of procedural irregularities, which must be addressed by the Albanian authorities in the future.

62. The functioning of the election administration during the electoral process proved that party influence was extremely important on structures which should be institutionally independent. The CEC must be an impartial body, and it must be perceived as such in order to gain authority over the electoral process and win citizens' trust. Its vulnerability to pressures and its politicisation must come to an end.

63. Media coverage of the electoral process was in general pluralistic and offered a diversity of content, but editorial independence was not entirely respected, as the CEC asked broadcasters to air campaign material prepared by contestants in news programmes, without any editorial comment.

64. In assessing the elections, it is important to consider the election process as a whole and not to focus only on the election day. This means that all the issues and shortcomings mentioned in this report, regarding the general situation, must be addressed in the future by the Albanian authorities.

65. In order to further reinforce the democratic process in Albania, to restore and strengthen citizens' full trust in the electoral process, the ad hoc committee calls on the Albanian authorities to take, *inter alia*, the following measure, in close co-operation with the Venice Commission:

- assess and improve the electoral legal framework, by taking into consideration the issues identified during the parliamentary elections of 23 June 2013, in the light of the recommendations made by the Council of Europe's Venice Commission;
- make a clear distinction, both in the electoral legislation and when implementing it, between the political parties' activities and State institutions;
- guarantee the impartial and neutral functioning of the election administration at all levels, by ensuring its genuine institutional independence;
- reinforce the legal protection of persons working in the election administration against any possible pressure from the State or from political parties;
- organise better training for members of the voting centre commissions, especially in rural areas, in order to increase their knowledge of procedures.

66. The ad hoc committee believes that it would be appropriate to consider preparing and implementing projects for Albania under the Council of Europe's electoral assistance programmes, taking into consideration the problems identified during these elections.

## Appendix 1 – Composition of the ad hoc committee

Based on proposals by the political groups of the Assembly, the ad hoc committee was composed as follows:

- Luca VOLONTÈ,\* Head of the Delegation, Italy (EPP/CD)
- **Socialist Group (SOC)**
  - Maryvonne BLONDIN, France
  - Florin IORDACHE, Romania
  - Mogens JENSEN, Denmark
  - Rytta MYLLER, Finland
  - Dana VAHALOVA, Czech Republic
- **Group of the European People's Party (EPP/CD)**
  - Imer ALIU, “The former Yugoslav Republic of Macedonia”
  - Şaban DISLI, Turkey
  - Renato FARINA, Italy
  - Nermina KAPETANOVIĆ, Bosnia and Herzegovina
  - Jan KAŹMIERCZEK, Poland
  - Foteini PIPLI, Greece
- **European Democrat Group (EDG)**
  - Vyacheslav TIMCHENKO, Russian Federation
- **Alliance of Liberals and Democrats for Europe (ALDE)**
  - André BUGNON, Switzerland
  - Alina Ştefania GORGHIU,\* Romania
  - Tudor-Alexandru CHIUARIU, Romania
- **Group of the United European Left (UEL)**
  - Petros TATSOPOULOS,\* Greece
- **Rapporteur of the Monitoring Committee (ex officio)**
  - Grigore PETRENCO,\* Republic of Moldova
- **Venice Commission**
  - Konrad OLSZEWSKI, expert of the Venice Commission
- **Secretariat**
  - Chemavon CHAHBAZIAN, Deputy Head of Secretariat, Interparliamentary Co-operation and Election Observation Division, Secretariat of the Parliamentary Assembly
  - Bogdan TORCATORIU, Administrator, Interparliamentary Co-operation and Election Observation Division, Secretariat of the Parliamentary Assembly
  - Amaya ÚBEDA DE TORRES, Administrator, Venice Commission
  - Franck DAESCHLER, Principal Administrative Assistant, Interparliamentary Co-operation and Election Observation Division, Secretariat of the Parliamentary Assembly
  - Anne GODFREY, Assistant, Interparliamentary Co-operation and Election Observation Division, Secretariat of the Parliamentary Assembly

\* Pre-electoral mission (10-11 June 2013)

## Appendix 2 – Programme of the pre-electoral mission (10-11 June 2013)

### 10 June 2013

- 9:30-10:00 Delegation meeting
- 10:00-10:30 Meeting with Mr Marco Leidekker, Head of the Council of Europe Office in Tirana
- 10:30-12:00 Meeting with Ms Conny McCormack, Head of the OSCE/ODIHR Election Observation Mission, and:
- Mr Harald Jepsen, Deputy Head of Mission
  - Ms Aleška Simkić, political analyst
  - Ms Marla Morry, legal analyst
  - Mr Giuseppe Milazzo, media analyst
- 12:00-13:30 Meeting with members of the diplomatic corps in Tirana:
- Ambassador Florian Raunig, Embassy of Austria, representing the incoming Chairmanship of the Council of Europe
  - Ambassador Mads Sandau-Jensen, Embassy of Denmark
  - Ambassador Leonidas Rokanas, Embassy of Greece
  - Mr Giuseppe Berlendi, Deputy Head of Mission, Embassy of Italy
  - Ambassador Viorel Stanila, Embassy of Romania
  - Ambassador Nicholas Cannon, Embassy of the United Kingdom
  - Ambassador Ettore Sequi, Delegation of the European Union to Albania
  - Mr Robert Wilton, Deputy Head of the OSCE Presence in Albania
- 14:30-15:30 Meeting with representatives of the civil society:
- NDI (Ms Ana Kovacevic, Mr Sam Sager and Ms Dorarta Hyseni)
  - Association for Democratic Culture (Ms Gerta Meta)
  - Kriik Albania Association (Mr Premto Gogo)
  - Association for Women and Children (Mr Rajmonda Prifti)
  - Helsinki Committee (Ms Vjollca Mecaj)
- 15:30-16:30 Meeting with media representatives
- Mr Bledar Zaganjori, Top-Channel
  - Mr Armand Shkullaku, ABC News
  - Mr Robert Rakiplari, Panorama
  - Mr Henri Çili, Mapo
  - Mr Martin Leka, TVSH
  - Ms Albana Basha, “Shqiptarja.com”
- 16:45-17:30 Meeting with Ms Lefterie Lleshi, Chairperson of the Central Electoral Commission
- 17:45-18:30 Meeting with Mr Flamur Noka, Minister of the Interior
- 20:30 Working dinner hosted by Ms Jozefina Topalli Çoba, Speaker of the Parliament

### 11 June 2013

- 10:00-12:30 Meetings with representatives of political parties:
- 10:00-10:25 Democratic Party (DP)
  - 10:25-10:50 Human Rights Union Party (HRUP)
  - 10:50-11:15 Party for Justice and Integration (PJI)
  - 11:15-11:40 Republican Party (RP)
  - 11:40-12:05 Socialist Movement for Integration (SMI)
  - 12:05-12:30 Socialist Party (SP)
- 14:00-14:50 Meetings with representatives of political parties:
- 14:00-14:25 New Democratic Spirit (NDS)

– 14:30-14:55 Red and Black Alliance (RBA)  
15:00-16:00 Meeting with Mr Sali Berisha, Prime Minister  
16:30-18:00 Preparation of the press conference  
18:30 Press conference

### **Appendix 3 – Statement by the pre-electoral mission**

#### **Albania needs 23 June elections to meet Council of Europe standards, says PACE pre-electoral delegation**

Strasbourg 11.06.2013 – “Albania needs the 23 June elections to meet Council of Europe standards, in order to confirm its genuine commitment to democracy, respect for the rule of law and protection of human rights,” concluded a five-member pre-electoral delegation of the Parliamentary Assembly of the Council of Europe (PACE), led by Luca Volontè (Italy, EPP/CD), in a statement issued at the end of a two-day visit to Tirana (10-11 June 2013).

All Albanian political parties must show the will to restore people’s trust and confidence in the electoral process, by ensuring that the conduct of the campaign and of the voting itself is able to pave the way towards acceptance of the election result by all stakeholders.

The delegation welcomed the adoption by the Parliament, in 2012, of a series of amendments to the Electoral Code, addressing many of the concerns voiced by PACE, the Venice Commission and the OSCE/ODIHR. However, the delegation stressed the need for the election legislation to be implemented fully and in good faith during the forthcoming elections, according to both its letter and its spirit.

The delegation noted that the campaign environment was generally calm and peaceful. It regretted that the crisis over the composition of the Central Election Committee (CEC) had not yet been resolved and considered that, as long as the CEC was not perceived as being impartial, the democratic conduct of the elections was endangered. A generally-acceptable composition of the electoral administration, multi-party and institutionally independent, was urgently needed.

Interlocutors of the delegation voiced concerns over allegations of pressure on public sector workers coming from one party or another, of extended vote-buying practices, of the disregard of gender-quota requirements for the candidate lists, as well as of the lack of transparency of the campaign financing. Also, the obligation for TV channels to broadcast pre-recorded video material prepared by the parties, as such, without any editorial comment, was seen by journalists as a serious limitation of media freedom.

The delegation understood the difficulties in dealing in an appropriate way with these concerns, given the short time left until election day. However, it invites all the main political forces to join efforts in order to increase the general confidence in the elections and build public trust in their outcome. Clear evidence has recently been shown within the Parliament that such co-operation is possible and can be fruitful.

During its visit, the delegation met with the Prime Minister, the Speaker of the Parliament, the Chairperson and members of the CEC, the Minister of the Interior, representatives of the parties running in the elections, representatives of civil society and the media, the OSCE/ODIHR observation mission and members of the diplomatic corps in Tirana.

A fully-fledged delegation from PACE will return to the country to observe the voting before making a final assessment.

**Appendix 4 – Programme of the election observation mission (21-24 June 2013)****Friday, 21 June 2013**

10:30-11:30	Meeting of the Parliamentary Assembly delegation
13:30-14:00	Opening Remarks Mr Roberto Battelli, Special Co-ordinator, Leader of the short-term OSCE observer mission Mr Luca Volontè, Head of the PACE Delegation Mr João Soares, Head of the OSCE PA Delegation
14:00-14:30	Remarks by the international presence in Tirana Mr Robert Wilton, Deputy Head of the OSCE Presence in Albania Ambassador Ettore Sequi, Head of Delegation of the European Union to Albania Mr Marco Leidekker, Head of the Council of Europe Office in Albania
14:30-15:30	Briefing by the OSCE/ODIHR Election Observation Mission - Part I (Overview) Gonny McCormack, Head of Mission Aleška Simkić, Political Analyst Marla Morry, Legal Analyst Giuseppe Milazzo, Media Analyst
15:45-16:45	Electoral Administration Central Election Commission (CEC), Mr Skënder Vrioni, General Secretary
16:45-17:05 17:05-17:25	Meetings with political parties running in the Alliance for Employment, Prosperity and Integration coalition Democratic Party, Mr Sali Berisha, Chairperson Republican Party, Mr Fatmir Mediu, Chairperson, and Mr Arjan Madhi, Vice Chairperson
17:25-17:45 17:45-18:05	Meetings with political parties running outside of coalitions Red and Black Alliance, Mr Edmir Dymleku, Secretary of Defense and National Security

**Saturday, 22 June 2013**

10:00-10:20 10:20-10:40	Meetings with political parties running in the Alliance for the European Albania Coalition Socialist Party, Mr Damian Gjikhuri, MP, Secretary for Electoral Issues and Mr Koli Bele, Vice Secretary for Electoral Issues Socialist Movement for Integration, Mr Ilir Meta, Chairperson, Mr Ralf Gjoni, International Secretary, and Mr Majlind Lazimi, Chief of Staff
11:00-12:00	Meeting with civil society/NGO representatives Coalition of Domestic Observers, Ms Gerta Meta, Mr Premto Gogo and Ms Rajmonda Prifti National Council of People with Disabilities, Mr Sinan Tafaj Albanian Helsinki Committee, Ms Vjollca Meçaj NDI, Mr Sam Sager
12:00-13:00	Meeting with media representatives Lutfi Dervishi, Head of Information Department at Vizion Plus TV
13:00-13:30	Briefing by the OSCE/ODIHR Election Observation Mission - Part II (Observation forms and election day procedures) Mr Harald Jepsen, Deputy Head of Mission Mr Hans Schmeets, Statistical Analyst
13:30-14:00	Deployment of teams observing in Tirana and the surroundings areas Distribution of the area-specific briefing packs Area-specific briefing by the OSCE/ODIHR EOM LTO teams 6/7/8 (Tirana and surrounding areas) and distribution of the area-specific briefing packs Deployment of teams observing outside Tirana and the surrounding areas Distribution of the area-specific briefing packs
14:00	Meeting with interpreters and drivers

**Sunday, 23 June 2013**

	Observation of opening, voting, vote count and tabulation of results
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**Monday, 24 June 2013**

09:30-10:30	Meeting of the PACE delegation (debriefing)
17:00	Joint press conference

## Appendix 5 – Statement by the election observation mission

### **Albania's elections active and competitive, but mistrust between political forces tainted the environment, international observers say**

Strasbourg, 24.06.2013 – Albania's parliamentary elections on 23 June were competitive, with active citizen participation throughout the campaign and genuine respect for fundamental freedoms. However, the atmosphere of mistrust between the two main political forces tainted the electoral environment and challenged the administration of the entire electoral process, international observers said in a statement today.

Persistent, long-standing differences and continued mutual mistrust between the main political parties undercut the work of the election administration, and the boycott of the Central Election Commission by opposition parties following the controversial dismissal of one of its members meant that it conducted the remainder of its work without the quorum necessary to make key decisions, the statement said.

"This was a substantive election offering voters real choices at a critical time for Albania. It is now time for the country's political leaders to listen to the people's verdict," said Roberto Battelli, the Special Co-ordinator who led the short-term OSCE observer mission. "People were eager to express their will, and should not be held hostage by politics. Politics are a crucial part of elections but, in some ways, party politics have proven harmful, as they have in the past."

Extensive amendments to the Electoral Code in July 2012 improved the electoral framework, which generally provides a sound basis for the conduct of democratic elections. The observers noted, however, that public confidence in the electoral process suffered because implementation and enforcement fell short in a number of respects.

Sixty-six political parties – the majority of which joined one of two electoral coalitions – and two independent candidates were registered to stand in a largely inclusive process that offered voters a choice. Parties developed programmatic platforms and engaged in substantive political debates, but mutual accusations between the two largest parties sometimes shifted attention away from the substance of the campaign.

"Yesterday, the Albanians demonstrated their faith in the democratic process and their hope for a European future. Now, it is time for political leaders to show they deserve the trust placed in them by respecting the results of the elections, by working together with a sense of responsibility in the new parliament to improve democratic standards and by dealing with economic and social challenges," said Luca Volontè (Italy, EPP/CD), the head of the delegation from the Parliamentary Assembly of the Council of Europe (PACE). "Such a sense of responsibility is vital in order for Albania to reach its European goal and should be demonstrated not only over the next few days during the counting process but throughout the coming years of parliamentary and governmental efforts."

On election day, voting proceeded relatively well, albeit with some procedural irregularities. Closing procedures and the receipt of ballot box at counting centres were assessed more positively. Counting was delayed in many areas due to the late appointment of counting officials.

"Albania is fortunate to have strong political forces that have presented alternative visions for this country, but by not appointing officials to promptly count the ballots, political parties are unnecessarily making their voters wait for the results of these elections," said João Soares, the Head of the OSCE Parliamentary Assembly delegation. "This is not fair to the voters or to Albanian democracy."

The large presence of citizen and contestant observers throughout the day generally enhanced transparency, although partisan observers were noted interfering in the process in some cases, the statement said. The killing of a party supporter in Lac and other isolated instances of violence tarnished the start of the elections.

The statement notes instances where public resources were used for campaign purposes and that a number of official government events included campaign advertising and speeches by the governing party. Allegations of vote-buying and pressure on public-sector employees negatively affected the pre-election environment. Campaign-financing regulations did not provide for sufficient transparency.

The media environment was pluralistic and offered a diversity of content, providing voters with the opportunity to make an informed choice, monitoring over the course of the campaign found. Editorial independence was hampered, however, by political influence. While the public broadcaster granted the larger parties equitable news coverage, the monitoring identified a more positive tone towards the ruling party. Women candidates received marginal coverage, reflecting continuing issues with women's participation in political life.

Effective legal remedy and due process to resolve election-related complaints were not adequately provided, and adjudicating bodies refused to consider complaints or exceeded their jurisdiction in key cases. Contestants rarely submitted complaints to be resolved by the relevant bodies.

“Voters have a right to expect elections that are administered professionally and impartially,” said Conny McCormack, the Head of the OSCE/ODIHR long-term election observation mission. “During our observation over the past six weeks we have seen politics permeate election administration at all levels. While the voting on election day was assessed positively, our overall findings are preliminary, as much of the counting continues. The ODIHR mission will remain in country to observe the remaining stages of the process.”